

**SUMMARY SHEET  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
DECEMBER 11, 2003**

**BUREAU OF LAND AND WASTE MANAGEMENT**

**Hazardous Waste Enforcement**

- 1)     Order Type and Number:                     Consent Order 03-29-HW  
       Order Date:                                 October 8, 2003  
       Responsible Party:                        **Portamedic**  
       Location/Mailing Address:             750 Executive Center Drive  
  Greenville, SC 29615-4505  
  
       County:                                     Greenville  
       Previous Orders:                         None  
       Permit Number:                         None  
       Violations Cited:                       South Carolina Infectious Waste  
  Management Act §§44-93-80, 44-93-100, and 44-93-140, and the South  
  Carolina Infectious Waste Management Regulations 61-105 Section F(1),  
  R.61-105 Section F(6)(c), and R.61-105 Section F(6)(g).

Summary: Portamedic (Respondent) is an infectious waste generator. The Respondent has violated the Infectious Waste Management Act and Regulations as follows: failure dispose of infectious waste in this State in accordance with the approved methods and procedures described in such regulations; failure to ensure that sharps are contained in rigid puncture resistant containers; failure to register with the Department in writing; failure to initiate a manifest for waste to be transported offsite; and, failure to manage infectious waste in a manner which prevents exposure to the public or release to the environment.

Action: The Respondent has agreed to: treat and dispose of infectious waste in this State in accordance with the approved methods and procedures described in the regulations; ensure that sharps offered for disposal are contained in rigid puncture resistant containers; manage infectious waste in a manner which prevents exposure to the public or release to the environment; and, pay a civil penalty in the amount of eighteen thousand, three hundred dollars (**\$18,300.00**). The penalty has been paid.

- 2)     Order Type and Number:                     Consent Order 03-30-HW  
       Order Date:                                 October 24, 2003  
       Responsible Party:                        **American LaFrance Corporation**  
       Location/Mailing Address:             8500 Palmetto Commerce Parkway  
  Ladson, SC 29456  
  
       County:                                     Charleston  
       Previous Orders:                         None

Permit Number:

SCR 000 075 002

Violations Cited:

The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulations 61-79.262.13(d), R.61-79.262.34(a)(2), R.61-79.262.41, R.61-79.265.15(d), R.61-79.265.31, R.61-79.265.37, R.61-79.265.52(d), R.61-79.265.52(f), R.61-79.265.53(b), R.61-79.265.171, R.61-79.265.173(a)(c)(d), R.61-79.265.174, and R.61-79.265.175(a)

Summary: American LaFrance Corporation (Respondent) manufactures fire trucks and ambulances. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to file a revised or new Notification Form (DHEC 2701) when the information previously submitted became outdated or inaccurate; failure to label containers holding hazardous waste with an accumulation start date; failure to submit written quarterly reports; failure to record hazardous waste inspections in an inspection log or summary; failure to maintain and operate the facility to minimize the possibility of any unplanned or sudden releases to the air, soil, or surface water; failure to attempt to make arrangements with local authorities, as appropriate for the types of wastes handled at the facility and the potential need for services; failure to list the names, addresses, and phone numbers of all persons qualified to act as emergency coordinator in the contingency plan; failure to include in the contingency plan an evacuation plan for the facility; failure to submit a copy of the contingency plan and all revisions to local authorities; failure to transfer hazardous waste from a container not in good condition to a container that was in good condition; failure to close all containers holding hazardous waste except when necessary to add or remove waste; failure to label containers of hazardous waste with the words, "Hazardous Waste – federal laws prohibit improper disposal;" failure to label containers of hazardous waste with the appropriate EPA Hazardous Waste Number(s); failure to inspect hazardous waste containers weekly; and failure to provide a containment system designed and operated in accordance with the regulations.

Action: The Respondent has agreed to: now and in the future, ensure that all containers of hazardous waste are managed in accordance with R.61-79.262.34 and R.61-79.265 Subpart I – Use and Management of Containers; ensure that a revised or new Notification Form is submitted whenever information previously provided becomes outdated or inaccurate; ensure that the facility operates with a contingency plan that meets the requirements of R.61-79.265 Subpart D – Contingency Plan and Emergency Procedures; submit Quarterly Reports to the Department no later than thirty (30) days after the end of each calendar quarter; ensure that the facility operates and complies with the requirements of R.61-79.265 Subpart C – Preparedness and Prevention; ensure that all hazardous waste storage areas are designed and operated in accordance with R.61-79.265.175; and, pay a civil penalty in the amount of twenty-five thousand dollars (\$25,000.00). The civil penalty will be paid in one payment.

### **Underground Storage Tank Enforcement**

- 3)     Order Type and Number:                     Consent Order 03-5115-UST  
       Order Date:                                 October 2, 2003  
       Owner/Operator:                         **J. W. Strickland**  
       Facility Name:                             Neal's Mini Mart  
       Facility Address:                         1032 Sea Mountain Hwy,  
   N. Myrtle Beach  
       County:                                     Horry  
       UST Permit Number:                     14838  
       Previous UST Orders:                     00-1004-UST (\$1,000)  
       Violations Cited:                         UST Control Regulations, R.61-92,  
   §280.31(a), R.61-92, §280.31(c), R.61-92, §280.34(c).

Summary: A compliance inspection revealed that the owner/operator had failed to operate and maintain the corrosion protection system continuously, inspect the impressed current system every 60 days, and supply records to the Department upon request.

Action: The owner/operator agreed to correct the violations and submit the compliance data within 30 days. If the documentation is received as agreed, the Department will **suspend** the civil penalty of seven hundred fifty dollars (**\$750.00**).

- 4)     Order Type and Number:                     Consent Order 03-5339-UST  
       Order Date:                                 October 24, 2003  
       Owner/Operator:                         **Bobby Godfrey**  
       Facility Name:                             Westend Shell  
       Facility Address:                         555 W. Georgia St., Woodruff  
       County:                                     Spartanburg  
       UST Permit Number:                     08299  
       Previous UST Orders:                     None  
       Violations Cited:                         UST Control Regulations, R.61-92,  
   §280.70(c), R.61-92, §280.93(a), R.61-92, §280.34(c).

Summary: A compliance inspection revealed that the owner/operator had failed to properly abandon a temporarily closed system after 12 months, demonstrate financial responsibility as required by the Department, and supply records to the Department upon request.

Action: The owner/operator agreed to demonstrate financial responsibility, abandon the out-of-use tanks, and submit the closure report within 30 days. If the documentation is received as agreed, the Department will **suspend** the civil penalty of one thousand one hundred dollars (**\$1,100.00**).

**Action:** The Department issued an Administrative Order with a civil penalty of three thousand seven hundred fifty dollars (\$3,750.00) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed. Since that time, the

owner has come into compliance and has agreed to pay a reduced penalty of five hundred dollars (\$500.00).

## **BUREAU OF WATER**

### **Drinking Water Enforcement**

- 7)     Order Type and No.:                      Consent Order 03-177-DW  
       Order Date:                                October 1, 2003  
       Responsible Party:                      **Coastal Carolina University**  
       Facility:                                      Coastal Carolina University  
       Location/Mailing Address:           PO Box 1954  
   Conway, SC 29526  
  
       County:                                        Horry  
       Previous Order(s):                        None  
       Permit/System Number:                26IR019  
       Violation(s) Cited:                      S.C. Code Ann. § 49-5-90 (A)

Summary: Coastal Carolina University (Respondent) owns and is responsible for the operation and maintenance of a permitted groundwater withdrawal system located within the Waccamaw Capacity Use designation area. The Respondent failed to submit groundwater withdrawal reports for the 2001 and 2002 reporting periods.

Action: The Respondent has agreed to: (1) operate and maintain its groundwater wells and report groundwater withdrawal in accordance with State regulations; (2) within fifteen (15) days of the Order date, submit completed Water Use Report forms for the 2001 and 2002 reporting periods; and, (3) within thirty (30) days of the Order date, pay a civil penalty of one thousand five hundred twenty dollars (\$1,520.00).

- 8)     Order Type and No.:                      Consent Order 03-179-DW  
       Order Date:                                October 8, 2003  
       Responsible Party:                      **Richland County Recreation**  
   **Comm.**  
       Facility:                                      Linrick Golf Course  
       Location/Mailing Address:           5819 Shakespeare Road  
   Columbia, SC 29223  
  
       County:                                        Richland  
       Previous Order(s):                        None  
       Permit/System Number:                40GC007  
       Violation(s) Cited:                      S.C. Code Ann. § 49-5-90 (A)

Summary: Richland County Recreation Commission (Respondent) owns and is responsible for the operation and maintenance of a groundwater and surface

water withdrawal system located at Linrick Golf Course. The Respondent failed to submit groundwater and surface water withdrawal reports for the 2002 reporting period.

Action: The Respondent has agreed to: (1) operate and maintain its groundwater wells and report groundwater and surface water withdrawal in accordance with State regulations; and, (2) within thirty (30) days of the Order date, pay a civil penalty of eight hundred dollars **(\$800.00)**.

- 9)     Order Type and No.:                                 Consent Order 03-181-DW  
          Order Date:   October 1, 2003  
          Responsible Party:                               **Inez Middleton**  
          Facility   Miracle Academy Nursery Center  
          Location/Mailing Address:                     PO Box 47  
  Russellville, SC 29476  
          County:   Berkeley  
          Previous Order(s):                               None  
          Permit/System Number                         None  
          Violation(s) Cited:                             24A S.C. Code Ann. Regs. 61-58.5.G(1)(c)(i), .11.H and .6.E(1)

Summary: Inez Middleton (Respondent) d/b/a Miracle Academy Nursery Center owns and is responsible for the operation and maintenance of a PWS. The Respondent failed to monitor for total coliform bacteria, lead and copper, and provide public notice for failure to monitor.

Action: The Respondent has agreed to: (1) operate and maintain the PWS in accordance with applicable State and Federal laws and regulations; (2) within thirty (30) days of the Order date, submit documentation that lead and copper monitoring samples have been collected for the July 1 - December 31, 2003 monitoring period and have been submitted for laboratory analysis; (3) within thirty (30) days of the Order date, issue a public notice for the bacteriological non-monitoring violation for the monitoring period of the second quarter 2003 and submit a copy of the public notice to the Department for review; and, (4) pay a civil penalty of four thousand nine hundred dollars **(\$4,900.00)**.

- 10)    Order Type and No.:                                 Consent Order 03-187-DW  
          Order Date:   October 8, 2003  
          Responsible Party:                               **Cliffs at Glassy Country Club**  
          Facility:   Cliffs at Glassy Country Club  
          Location/Mailing Address:                     250 Nights Ridge Road  
  Travelers Rest, SC 29690  
          County:   Spartanburg  
          Previous Order(s):                               None  
          Permit/System Number:                       42GC007  
          Violation(s) Cited:                             S.C. Code Ann. § 49-5-90 (A)

Summary: The Cliffs at Glassy Country Club, Inc. (Respondent) owns and is responsible for the operation and maintenance of a surface water withdrawal system. The Respondent failed to submit surface water withdrawal reports for the 2002 reporting period.

Action: The Respondent has agreed to: (1) report surface water withdrawal in accordance with State regulations; (2) within fifteen (15) days of the Order date, submit the completed Water Use Report forms; and, (3) within thirty (30) days of the Order date, pay a civil penalty of two hundred dollars **(\$200.00)**.

11)	<u>Order Type and No.:</u>	Consent Order 03-188-DW
	<u>Order Date:</u>	October 8, 2003
	<u>Responsible Party:</u>	<b>Wyboo Plantation Utility, Inc.</b>
	<u>Facility:</u>	Wyboo Plantation Utility, Inc.
	<u>Location/Mailing Address:</u>	PO Box 780 Manning, SC 29102
	<u>County:</u>	Clarendon
	<u>Previous Order(s):</u>	00-041-W (\$0)
	<u>Permit/System Number:</u>	14WS006
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 49-5-90 (A)

Summary: Wyboo Plantation Utility, Inc. (Respondent) owns and is responsible for the operation and maintenance of a groundwater withdrawal system. The Respondent failed to submit groundwater withdrawal reports for the 2002 reporting period.

Action: The Respondent has agreed to: (1) operate and maintain its groundwater wells and report groundwater withdrawal in accordance with State regulations; and, (2) within thirty (30) days of the Order date, pay a civil penalty of two hundred dollars **(\$200.00)**.

12)	<u>Order Type and No.:</u>	Consent Order 03-194-DW
	<u>Order Date:</u>	October 10, 2003
	<u>Responsible Party:</u>	<b>Golf Wheels, Inc.</b>
	<u>Facility:</u>	Golf Wheels, Inc./Shadowmoss Plantation
	<u>Location/Mailing Address:</u>	20 Dunvegan Drive Charleston, SC 29414
	<u>County:</u>	Charleston
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	10GC051
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 49-4-50 (A)

Summary: Golf Wheels, Inc. (Respondent) owns and is responsible for the operation and maintenance of a surface water withdrawal system at Shadowmoss Plantation. The Respondent failed to submit its surface water withdrawal report for the 2002 reporting period.

Action: The Respondent has agreed to: (1) report surface water withdrawal in accordance with State regulations; (b) within fifteen (15) days of the Order date, submit the completed Water Use Report form; and, (c) within thirty (30) days of the Order date, pay a civil penalty of eight hundred dollars **(\$800.00)**.

13)	<u>Order Type and No.:</u>	Consent Order 03-197-DW
	<u>Order Date:</u>	October 24, 2003
	<u>Responsible Party:</u>	<b>Charlie Rogers</b>
	<u>Facility:</u>	Hunts Bluff Road
	<u>Location/Mailing Address:</u>	1068 Highway 15-401 West Bennettsville, SC 29512
	<u>County:</u>	Marlboro
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	34IR016
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 49-5-90 (A)

Summary: Charlie Rogers (Respondent) owns and is responsible for the operation and maintenance of a groundwater withdrawal system located on Hunts Bluff Road. The Respondent failed to submit groundwater withdrawal reports for the 2002 reporting period.

Action: The Respondent has agreed to: (1) operate and maintain its groundwater wells and report groundwater withdrawal in accordance with State regulations; (2) within fifteen (15) days of Order date, submit the 2002 Water Use Report form; and, (3) within thirty (30) days of Order date, pay a civil penalty in the amount of two hundred dollars **(\$200.00)**.

14)	<u>Order Type and No.:</u>	Consent Order 03-198-DW
	<u>Order Date:</u>	October 20, 2003
	<u>Responsible Party:</u>	<b>Green Hills Golf Course</b>
	<u>Facility:</u>	Green Hills Golf Course
	<u>Location/Mailing Address:</u>	PO Box 745 Lugoff, SC 29078
	<u>County:</u>	Kershaw
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	28GC003
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 49-4-50 (A) & and 49-5-90 (A)



Summary: Green Hills Golf Course (Respondent) owns and is responsible for the operation and maintenance of a groundwater and surface water withdrawal system. The Respondent failed to submit its groundwater and surface water withdrawal reports for the 2002 reporting period.

Action: The Respondent has agreed to: (1) report groundwater and surface water withdrawal in accordance with State regulations; and, (2) pay a civil penalty in the amount of six hundred forty dollars **(\$640.00)**.

15) Order Type and No.: Consent Order 03-205-DW  
Order Date: October 24, 2003  
Responsible Party: **Herbert Timmons**  
Facility: N/A  
Location/Mailing Address: 215-3 Carmichael Lane  
Mullins, SC 29574  
County: Marion County  
Previous Order(s): None  
Permit/System Number: None  
Violation(s) Cited: 24A S.C. Code Ann. Regs. 61-44  
(D)(4), (7),(F)(1), 24A S.C. Code Ann. Regs 61-30 (C)(1)(b), 25 S.C.  
Code Ann. Regs. 61-71 (F)(2)(e), (F)(8), (F)(12)(a), and (F)(2)(b)

Summary: Herbert Timmons (Respondent) is in the business of well drilling. The Respondent failed to properly construct and submit the appropriate forms and pay fees for the wells.

Action: The Respondent has agreed to: (1) comply with all State rules and regulations concerning well construction and permitting; (2) within fifteen (15) days of the Order date, contact the Pee Dee EQC District Office to schedule a date and time for the Department to witness the proper remediation of the wells; and, (3) pay a civil penalty of five thousand six hundred dollars **(\$5,600.00)**.

### **Water Pollution Enforcement**

16) Order Type and No.: Consent Order 03-174-W  
Order Date: October 1, 2003  
Responsible Party: **Gladys Whitesides**  
Facility: Broad River Truck Stop  
Location/Mailing Address: PO Box 70  
Smyrna, SC 29743  
County: Cherokee  
Previous Order(s): 98-028-W (\$5,600.00)  
Permit/System Number: SC0032433  
Violation(s) Cited: S.C. Code Ann. § 48-1-110(d), S.C.  
Code Ann. 61-9.122.41(a)

Summary: Gladys Whitesides (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent failed to comply with the permitted discharge limits for fecal coliform, biochemical oxygen demand (BOD) and total suspended solids (TSS).

Action: The Respondent has agreed to: (1) complete closure of the WWTF by January 22, 2004; and, (2) within thirty (30) days of the Order date, pay a civil penalty of three thousand eight hundred fifty dollar (**\$3,850.00**).

- 17) Order Type and No.: Consent Order 03-176-W  
Order Date: October 1, 2003  
Responsible Party: **Southern Homes of the Upstate, Inc.**  
Facility: Sydney Plantation/Hawks Ridge Subdivision  
Location/Mailing Address: 108 Ole Towne Square, Suite B  
Central, SC 29630  
County: Anderson  
Previous Order(s): None  
Permit/System Number: SCR105873  
Violation(s) Cited: S.C. Code Ann. Regs. 61-69.122.41(a) and (e), S.C. Code Ann. Regs. 61-68 (E)(5)(d), S.C. Code Ann. § 48-1-90(a)

Summary: Southern Homes of the Upstate, Inc. (Respondent) is responsible for development and construction activities in the Sydney Plantation/Hawks Ridge Subdivision (Site). The Respondent discharged sediment into waters of the State.

Action: The Respondent has agreed to: (1) operate and maintain its storm water management and sediment & erosion controls in accordance with regulatory requirements; (2) within thirty (30) days of the Order date, have a State registered engineer certify that all storm water controls are in place and functioning; and, (3) pay a civil penalty of fourteen thousand four hundred dollars (**\$14,400.00**).

- 18) Order Type and No.: Consent Order 03-182-W  
Order Date: October 1, 2003  
Responsible Party: **Joseph A. Kesler**  
Facility: Country Side Farms, Inc.  
Location/Mailing Address: 2943 Bethel Church Road  
Prosperity, S.C. 29127  
County: Newberry  
Previous Order(s): None  
Permit/System Number: ND0062821/ CP # 17,348-AG  
Violation(s) Cited: S.C. Code Ann. § 48-1-90(a)

Summary: Country Side Farms, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of waste storage ponds serving a layer (poultry) facility. The Respondent discharged partially treated wastewater into the environment.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) submit a corrective action plan (CAP) detailing the installation of a permanent level marker and a sludge depth profile of the waste storage ponds; (3) remove sludge, if required, and install the permanent water level marker; (4) submit an updated water sample from the waste storage ponds; and, (5) pay a civil penalty of five thousand six hundred dollars **(\$5,600.00)**.

19) Order Type and No.: Consent Order 03-185-W  
Order Date: October 1, 2003  
Responsible Party: **Inman Mills Water District**  
Facility: Inman Mills Water District  
Location/Mailing Address: PO Box 207  
Inman, SC 29349  
County: Spartanburg  
Previous Order(s): 00-177-DW (\$11,550)  
Permit/System Number: SC0024414  
Violation(s) Cited: S.C. Code Ann. § 48-1-90 (a) and 24  
S.C. Code Ann. 61-9.122.41(a)

Summary: Inman Mills Water District (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent discharged sewage into the environment.

Action: The Respondent has agreed to: (1) identify and make priority repairs to the wastewater collection system to eliminate excessive inflow/infiltration, and, (2) within thirty (30) days of the Order date, pay a civil penalty of one thousand dollars **(\$1,000.00)**.

20) Order Type and No.: Consent Order 03-189-W  
Order Date: October 8, 2003  
Responsible Party: **Poinsett Development, L.L.C.**  
Facility: Hickory Run Subdivision  
Location/Mailing Address: 221 Pelham Road  
Greenville, SC 29615  
County: Pickens  
Previous Order(s) None  
Permit/System Number: SCR104870  
Violation(s) Cited: S.C. Code Ann. § 48-1-90(a); and 25  
S.C. Code Ann. Regs. 61-68 (E)(5)(d)

Summary: Poinsett Development, L.L.C. (Respondent) owns and is responsible for development and construction activities in the Hickory Run Subdivision. The Respondent discharged sediment into waters of the State.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within sixty (60) days of the Order date, submit a CAP, completed by a State registered professional engineer, certifying how the sediment in the wetland area will be removed, and include in the CAP a schedule for implementation, which upon Department approval, will become an enforceable part of this Order; and, (3) pay a civil penalty of eight thousand four hundred dollars (**\$8,400.00**).

21)	<u>Order Type and No.:</u>	Consent Order 03-190-W
	<u>Order Date:</u>	October 8, 2003
	<u>Responsible Party:</u>	<b>Hanes Companies, Inc.</b>
	<u>Facility:</u>	Falcon Plant
	<u>Location/Mailing Address:</u>	600 Northwest Boulevard Winston-Salem, NC 27102
	<u>County:</u>	Pickens
	<u>Previous Order(s)</u>	None
	<u>Permit/System Number:</u>	ND0073253
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90(a)

Summary: Hanes Companies, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF and land application facility serving its Falcon Plant. The Respondent discharged bio-solids/sludge into the environment.

Action: The Respondent has agreed to: (1) apply wastewater and bio-solids/sludge in compliance with its State Land Application Permit and Department regulations; and, 2) pay a civil penalty of four thousand seven hundred fifty dollars (**\$4,750.00**).

22)	<u>Order Type and No.:</u>	Consent Order 03-191-W
	<u>Order Date:</u>	October 9, 2003
	<u>Responsible Party:</u>	<b>Satterwhite Farms</b>
	<u>Facility:</u>	Buford Dairy
	<u>Location/Mailing Address:</u>	1144 Gary's Lane Newberry, SC 27108
	<u>County:</u>	Newberry
	<u>Previous Order(s)</u>	None
	<u>Permit/System Number:</u>	ND0013757/ CP # 13,693-AG
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90(a)(1987), R.61-43.200.90 M&N , R.61-43.200.170.C.3

Summary: Wayne Satterwhite and William Satterwhite (Respondents) lease and are responsible for the proper operation and maintenance of two waste storage ponds serving Buford Dairy. The Respondents discharged partially treated wastewater into the environment, failed to collect soil monitoring samples, failed to have the proper number of warning signs around the facility, and allowed trees to grow within twenty-five (25) feet of the toe of the waste storage ponds dikes.

Action: The Respondents have agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) submit a CAP detailing the installation of a permanent level marker and a sludge depth profile of the waste storage ponds; (3) remove sludge, if required, and install the permanent water level marker; (4) submit an updated water sample from the waste storage ponds; and, (5) pay a civil penalty of eight thousand four hundred dollars **(\$8,400.00)**.

23)	<u>Order Type and No.:</u>	Consent Order 03-192-W
	<u>Order Date:</u>	October 9, 2003
	<u>Responsible Party:</u>	<b>Satterwhite Farms</b>
	<u>Facility:</u>	Satterwhite Swine Farm # 1 and # 2
	<u>Location/Mailing Address:</u>	1144 Gary's Lane Newberry, SC 27108
	<u>County:</u>	Newberry
	<u>Previous Order(s)</u>	None
	<u>Permit/System Number:</u>	(Swine #1) ND0015008/ CP # 11,816-AG (Swine # 2) ND0014991/ CP # 14,170-AG
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90(a), R.61- 43.100.90 Q&R

Summary: Wayne Satterwhite and William Satterwhite (Respondents) own and are responsible for the proper operation and maintenance of four (4) waste storage ponds serving Satterwhite Swine Farm # 1 and Satterwhite Swine Farm # 2. The Respondents discharged partially treated wastewater into the environment, failed to maintain the vegetation around the facility at the height allowed, failed to have the proper number of warning signs around the facility, and allowed trees to grow within twenty-five (25) feet of the toe of the waste storage ponds dikes.

Action: The Respondents have agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) submit a CAP detailing the installation of a permanent level marker and a sludge depth profile of the waste storage ponds; (3) remove sludge, if required, and install the permanent water level marker; (4) submit an updated water sample

24)	<u>Order Type and No.:</u>	Consent Order 03-193-W
	<u>Order Date:</u>	October 24, 2003
	<u>Responsible Party:</u>	<b>East Richland County PSD</b>
	<u>Facility:</u>	East Richland County PSD WWTF
	<u>Location/Mailing Address:</u>	PO Box 23069 Columbia, S.C. 29224
	<u>County:</u>	Richland
	<u>Previous Order(s):</u>	02-204-W (\$5,100.00) 01-181-W (\$29,600.00)
	<u>Permit Number:</u>	SC0038865
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110(d)
	24 S.C. Code Ann. Regs. 61-9.122.41(a)(1)	

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) submit a Corrective Action Plan addressing infiltration and inflow; (3) submit quarterly upgrade progress reports; (4) complete construction of the upgrade by October 1, 2005; and, (5) pay a civil penalty of five thousand dollars **(\$5,000.00)**.

25)	<u>Order Type and No.:</u>	Consent Order 03-195-W
	<u>Order Date:</u>	October 15, 2003
	<u>Responsible Party:</u>	<b>Town of Iva</b>
	<u>Facility:</u>	Westside WWTF
	<u>Location/Mailing Address:</u>	PO Box 188 Iva, SC 29655
	<u>County:</u>	Anderson
	<u>Previous Order(s)</u>	99-086-W (\$0), 02-114-W (\$0)
	<u>Permit/System Number:</u>	SC0025828
	<u>Violation(s) Cited:</u>	24 S.C. Code Ann. Regs. 61- 9.122.41(e) and S.C. Code Ann. § 48-1-110(d)

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; and, (2)

26)	<u>Order Type and No.:</u>	Consent Order 03-196-W
	<u>Order Date:</u>	October 15, 2003
	<u>Responsible Party:</u>	<b>Pickens County School District</b>
	<u>Facility:</u>	W.B. Daniel High School
	<u>Location/Mailing Address:</u>	415 Ann Street Pickens, SC 29671
	<u>County:</u>	Pickens
	<u>Previous Order(s)</u>	00-126-W (\$0)
	<u>Permit/System Number:</u>	SC0038652
	<u>Violation(s) Cited:</u>	24 S.C. Code Ann. Regs. 61- 9.122.41(a) and S.C. Code Ann. § 48-1-110(d)

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within ninety (90) days of the Order date, submit a Preliminary Engineering Report (PER) for the elimination of the discharge; (3) within ninety (90) days of PER approval, submit plans, specifications and an application for a permit to construct; (4) within ninety (90) days of receipt of permit to construct, begin construction; (5) within one (1) year of beginning construction, eliminate the discharge; (6) within one hundred eighty (180) days of eliminating the discharge, properly closeout the WWTF; and, (7) within thirty (30) days of the Order date, pay a civil penalty of four thousand eight hundred dollars **(\$4,800.00)**.

27)	<u>Order Type and No.:</u> <u>Order Date:</u> <u>Responsible Party:</u> <u>Facility:</u> <u>Location/Mailing Address:</u>  <u>County:</u> <u>Previous Order(s):</u> <u>Permit/System Number:</u> <u>Violation(s) Cited:</u> 24 S.C. Code Ann. 61-9.122.41(a)	Consent Order 03-201-W October 27, 2003 <b>Eastman Chemical Company</b> Eastman Chemical Company 200 Railroad Street Roebuck, SC 29376 Spartanburg 03-127-W (\$4,200) SC0002321 S.C. Code Ann. § 48-1-110 (d) and
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Summary: Eastman Chemical Company (Respondent) owns and is responsible for the proper operation and maintenance of a specialty chemical manufacturing and compounding plant. The Respondent failed to comply with the permitted discharge limits for pH.

28)	<u>Order Type and No.:</u> <u>Order Date:</u> <u>Responsible Party:</u> <u>Facility:</u> <u>Location/Mailing Address:</u>  <u>County:</u> <u>Previous Order(s):</u> <u>Permit/System Number:</u> <u>Violation(s) Cited:</u> and S.C. Code Ann. Regs. 61-81	Consent Order 03-202-W October 29, 2003 <b>Nestle Prepared Foods Company</b> Nestle Prepared Foods Company PO Box 1419 Gaffney, SC 29342 Cherokee None SC0037664 (canceled) 24 S.C. Code Ann. 61-9.122.41(j)(3)
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Action: The Respondent has agreed to: (1) within thirty (30) days of the Order date, pay a civil penalty of five thousand six hundred dollars (**\$5,600.00**).

29)	<u>Order Type and No.:</u>	Consent Order 03-203-W
	<u>Order Date:</u>	October 31, 2003
	<u>Responsible Party:</u>	<b>SCDOT/Thrift Brothers, L.L.C.</b>
	<u>Facility:</u>	Hwy 123 Exit ramp work
	<u>Location/Mailing Address:</u>	955 Park Street, PO Box 191, Columbia, SC 29202
	<u>County:</u>	Pickens
	<u>Previous Order(s):</u>	98-030-W (\$19,760)
	<u>Permit/System Number:</u>	SCR106206
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90(a); and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e)

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within sixty (60) days of the Order date, submit a report, completed by a State



registered professional engineer, certifying all storm water controls have been installed and are properly functioning; and, (3) within thirty (30) days of the Order date, pay a civil penalty of eleven thousand two hundred dollars (**\$11,200.00**).

### **BUREAU OF AIR QUALITY**

30) Order Type and No.: Consent Order 03-070-A  
Order Date: October 8, 2003  
Responsible Party: **Joslyn Clark Controls**  
Location/Mailing Address: Post Office Box 945  
Lancaster, South Carolina 29720  
County: York County  
Previous Order(s): None  
Permit No.: 1460-0050  
Violation(s) Cited: South Carolina Air Pollution Control  
Regulation 61-62.1, Section II, Permit Requirements

Summary: Joslyn Clark manufactures industrial control equipment for fire safety systems. On January 24, 2001, the Department conducted an inspection and determined that Joslyn Clark failed to apply for and obtain the necessary permits from the Department prior to installing and operating sources of air pollutants. Joslyn Clark submitted an incomplete construction permit application on April 8, 2002. The Department has not yet received all information necessary for issuance of a construction permit.

Action: On February 27, 2002, the Department issued Joslyn Clark a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on March 19, 2002. A Consent Order was negotiated in which the facility agreed to apply for and obtain all necessary permits prior to the construction, removal or alteration of any source of air pollution, and pay a civil penalty in the amount of four thousand dollars (**\$4,000**). The penalty has been paid.

31) Order Type and No.: Consent Order 03-071-A  
Order Date: October 2, 2003  
Responsible Party: **Interflex, LLC**  
Location/Mailing Address: 175 Tradd Street  
Spartanburg, South Carolina 29301  
County: Spartanburg  
Previous Order(s): None  
Permit No.: 2060-0269  
Violation(s) Cited: South Carolina Air Pollution Control  
Regulation 61-62.1, Section II, Permit Requirements, and S.C. Code Ann. §48-1-110(d).

Summary: Interflex, located in Spartanburg, South Carolina, is a facility that manufactures seamless rubber printing rolls, two- and three-dimensional embossing rolls, ceramic anilox rolls, and ceramic gravure applicators. An inspection conducted on October 18, 2002, indicated that Interflex had installed and placed into operation a new laser engraver (LE-8), routed its emissions to a thermal oxidizer, and rerouted laser engraver LE-4 emissions from the thermal oxidizer and dust control system #3 to dust control system #4 prior to obtaining required Department-issued permits. Interflex also failed to submit its annual monitoring plan certification for the January 1, 2002, through December 31, 2002, reporting period in a timely manner. On December 20, 2002, the Department received an application for a construction permit for the unpermitted laser engraver and dust control system.

Action: On May 21, 2003, the Department issued Interflex a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 10, 2003. A Consent Order was negotiated in which Interflex agreed to comply with Department permitting requirements, submit future monitoring plan certifications in a timely manner, and pay a civil penalty in the amount of four thousand five hundred dollars (**\$4,500.00**). The penalty has been paid.

32)	<u>Order Type and No.:</u>	Consent Order 03-072-A
	<u>Order Date:</u>	October 2, 2003
	<u>Responsible Party:</u>	<b>The American National Red Cross</b>
	<u>Location/Mailing Address:</u>	2025 E Street, NW Washington, DC 20006
	<u>County:</u>	Richland
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	None
	<u>Violation(s) Cited:</u>	U.S. EPA Regulation 40 CFR Part 61 - <u>National Emission Standards For Hazardous Air Pollutants</u> , Subpart M - <u>National Emission Standard For Asbestos</u> , and South Carolina Air Pollution Control Regulation 61-86.1, <u>Standards of Performance for Asbestos Projects</u> .

Summary: The American National Red Cross (ARC) owns and operates Building 4475 at the U.S. Department of the Army's Fort Jackson in Columbia, South Carolina. On November 6, 2001, Fort Jackson disclosed to the Department that an asbestos survey had not been performed prior to the beginning of renovation at Building 4475 during the week of October 29, 2001. On November 15, 2001, the Department received the results of an asbestos survey, which indicated that no asbestos was present in ceiling tile removed during the renovation.

Action: On August 8, 2002, the Department issued ARC a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on September 12, 2002. A Consent Order was negotiated in which ARC agreed to ensure that it performs an asbestos survey to identify the presence, location, and estimated quantity of asbestos-containing material prior to beginning any renovation or demolition activities at any facilities that it owns or operates within South Carolina; submit to the Department for approval a plan to implement an asbestos training program for ARC personnel located within South Carolina; and distribute to each ARC chapter located within the United States information regarding the asbestos situation that occurred at the ARC chapter located at Fort Jackson and applicable asbestos regulatory requirements.

33) Order Type and No.: Consent Order 03-073-A  
Order Date: October 2, 2003  
Responsible Party: **McKechnie Plastic Components**  
Location/Mailing Address: Post Office Box 2369  
Easley, South Carolina 29641  
County: Pickens  
Previous Order(s): 99-016-HW (\$11,600), 00-74-A  
(\$3,000)  
Permit No.: 1880-0052  
Violation(s) Cited: S.C. Code Ann. §48-1-110(d); South  
Carolina Air Pollution Control Regulation 61-62.70

Summary: McKechnie Plastic Components ("McKechnie") is a thermoplastic injection molding facility. The Department issued Part 70 ("Title V") Air Quality Operating Permit TV-1880-0052 to McKechnie, effective June 10, 1998. McKechnie failed to submit a timely application for renewal of its Title V permit, which expired on May 31, 2002. The application for renewal was due to the Department by December 1, 2001, but was not submitted until February 26, 2002.

Action: On July 30, 2003, the Department issued McKechnie a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on August 7, 2003. A Consent Order was negotiated in which McKechnie agreed to comply with all terms and conditions of Title V Air Quality Operating Permit TV-1880-0052 until such time as a final action is taken on its application for renewal.

34) Order Type and No.: Consent Order 03-074-A  
Order Date: October 9, 2003  
Responsible Party: **DOT Packaging Group**  
Location/Mailing Address: 195 Abbott Lane  
Spartanburg, South Carolina 29307  
County: Spartanburg

Previous Order(s): 01-044-A (\$3,000), 02-075-A (\$11,200)  
Permit No.: TV-2060-0215  
Violation(s) Cited: Consent Order 02-075-A, S.C. Code Ann. § 48-1-110(d) and South Carolina Air Pollution Control Regulation 61-62.70 Title V Operating Permit Program.

Summary: DOT, located in Spartanburg, South Carolina, is a facility that manufactures specialty packaging materials including blister boards, skin boards, display cards, and folding cartons. DOT failed to submit its Title V Annual Compliance Certification for the January 19, 2002, through January 18, 2003, reporting period. Once contacted by the Department, DOT submitted a certification that failed to accurately reflect the compliance status of the facility. On April 4, 2003, the Department received the revised certification.

Action: On July 1, 2003, the Department issued DOT a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on September 2, 2003. A Consent Order was negotiated in which DOT agreed to submit timely and accurate Title V Annual Compliance Certifications, and pay a civil penalty in the amount of ten thousand dollars (\$10,000). The penalty has been paid.

35) Order Type and No.: Consent Order 03-076-A  
Order Date: October 29, 2003  
Responsible Party: **WestPoint Stevens – Clemson**  
Finishing Plant  
Location/Mailing Address: Post Office Box 1800  
Clemson, South Carolina 29633  
County: Oconee  
Previous Order(s): 99-026-W (\$9,000), 00-195-W (\$28,900)  
Permit No.: TV-1820-0048  
Violation(s) Cited: S.C. Code Ann. § 48-1-110(d).

Summary: WestPoint Stevens manufactures cotton and polyester bed sheets, and operates pursuant to Title V Operating Permit TV-1820-0048, effective March 28, 2001. An earlier construction permit allowed WestPoint Stevens to replace its Continuous Emission Monitor System (“CEMS”) for NOx emissions from a 157-mmBTU/hr natural gas fired boiler with a Predictive Emissions Monitoring System (“PEMS”) which uses a fixed formula to predict NOx emissions. The construction permit required WestPoint Stevens to conduct an annual Relative Accuracy Test Audit (“RATA”), to ensure that the PEMS was yielding accurate predictions. On November 28, 2001, WestPoint Stevens conducted its annual PEMS RATA. WestPoint Stevens changed the permitted formula used in its PEMS without notifying or obtaining approval from the Department. The formula is contained in its Title V Operating Permit. WestPoint Stevens met with Department personnel on November 20, 2002, and January 16,

2003, to discuss the results of the RATA conducted on November 28, 2001, and provided reasons why it believed that it failed the source test. On March 4, 2003, WestPoint Stevens conducted a Department-approved PEMS RATA. The results indicated that the PEMS was not accurately predicting NOX emissions. On June 2, 2003, WestPoint Stevens submitted a corrective action plan, including a newly developed equation and means to ensure that the PEMS accurately predicts NOX emissions in the future. The company has committed to correcting the problems with the PEMS or discontinue its use.

Action: On June 6, 2003, the Department issued WestPoint Stevens a Notice of Violation and Notice of Enforcement Conference, and an enforcement conference was held on June 24, 2003. A Consent Order was negotiated in which the facility agreed to submit a site-specific test plan for the PEMS RATA, and within 30 days, conduct the RATA. WestPoint Stevens has also agreed to conduct semiannual RATA's until demonstrating compliance with the permitted relative accuracy requirements during three consecutive semiannual tests. WestPoint Stevens can then remove the CEMS from operation. The Department assessed a civil penalty in the amount of five thousand dollars **(\$5,000)**. WestPoint Stevens filed for Chapter 11 Bankruptcy protection on June 1, 2003, and the penalty has been **suspended**.

36) <u>Order Type and No.:</u>	Consent Order 03-077-A
<u>Order Date:</u>	October 21, 2003
<u>Responsible Party:</u>	<b>Ford's Redi-Mix Concrete Co.</b>
<u>Location/Mailing Address:</u>	Post Office Box 21909 Charleston, South Carolina 29413
<u>County:</u>	Charleston
<u>Previous Order(s):</u>	None
<u>Permit No.:</u>	0560-0035
<u>Violation(s) Cited:</u>	South Carolina Code Ann. § 48-1-110(d)

Summary: Ford's Redi-Mix, located in Charleston, South Carolina, operates a 100 cubic-yard-per-hour concrete batch plant. Ford's Redi-Mix operates pursuant to Air Quality Operating Permit 0560-0035, effective November 9, 1999. On May 12, 2003, Department personnel conducted an inspection at Ford's Redi-Mix. Ford's Redi-Mix was operating the facility without its truck-loading baghouse on-line and operating and did not have records of pressure drop readings for the baghouses available during the inspection. In addition, Ford's Redi-Mix had replaced the control equipment on the cement silo with a new cartridge-type bin vent filter without Departmental approval.

Action: On July 24, 2003, the Department issued Ford's Redi-Mix a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on August 19, 2003. A Consent Order was negotiated in which Ford's Redi-Mix agreed to operate its facility with all

pollution control devices on-line and operating properly, maintain pressure drop records on site and make these records available to authorized Department representatives upon request, obtain written approval from the Department prior to deviating from the plans and specifications submitted in the facility's original operating permit application, and pay a civil penalty in the amount of five thousand dollars (**\$5,000**). The penalty has been paid.

37)	<u>Order Type and No.:</u>	Consent Order 03-078-A
	<u>Order Date:</u>	October 21, 2003
	<u>Responsible Party:</u>	<b>Boiler Tube Company of America</b>
	<u>Location/Mailing Address:</u>	Post Office Box 849 Lyman, South Carolina 29365
	<u>County:</u>	Spartanburg
	<u>Previous Order(s):</u>	99-068-A (\$3,000)
	<u>Permit No.:</u>	2060-0314
	<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.1, II, <u>Permit Requirements</u>

Summary: Boiler Tube, located in Lyman, South Carolina, is a facility that manufactures replacement boiler tubes. An inspection conducted by the Department on February 10, 2003, indicated that Boiler Tube failed to obtain required Department-issued permits prior to installing and placing into operation a dust collector, a cyclone, and a hanging sock filter system. Boiler Tube also failed to maintain a pressure drop gauge; failed to keep and maintain records of pressure drop readings and periodic maintenance; and failed to submit an annual Monitoring Plan certification for the reporting periods ending February 6, 2000, 2001, 2002, and 2003.

Action: On May 21, 2003, the Department issued Boiler Tube a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 10, 2003. A Consent Order was negotiated in which Boiler Tube agreed to submit past due Monitoring Plan certifications, maintain its pressure drop gauges, keep and maintain records of pressure drop readings and periodic maintenance, submit future annual Monitoring Plan certifications in a timely manner, comply with Department permitting requirements, and pay a civil penalty in the amount of five thousand five hundred dollars **(\$5,500)**. The penalty is due November 21, 2003.

